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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 ALEXIS MCLEMORE,

11 Plaintiff,

12 v.

13 THE SHADE TREE,

14 Defendant.

Case No. 2:10-cv-01801-LDG (RJJ)

15  
16 **ORDER**

17 By Report of August 11, 2011 (#21), the Magistrate Judge recommends that this  
18 matter be dismissed with prejudice for plaintiff's failure to file an acceptable amended  
19 complaint and failure to respond to an Order to Show Cause why this matter should not be  
20 dismissed for failure to prosecute. The Magistrate Judge expressly notified plaintiff that  
21 any objection to the Report and Recommendation must be in writing and must be filed with  
22 the Clerk of the Court within fourteen days after service of the notice. The plaintiff has not  
23 filed objections to the Report and Recommendation.

24 Accordingly,

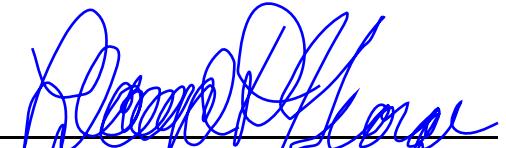
25 **THE COURT ADOPTS** the Report and Recommendation (#21).

26 **THE COURT ORDERS** that this matter is DISMISSED with prejudice.

1 THE COURT FURTHER **ORDERS** that plaintiff's Application for Leave to Proceed in  
2 Forma Pauperis (#1) is DENIED as moot.

3 THE COURT FURTHER **ORDERS** that plaintiff's Motion for Leave to Proceed in  
4 Forma Pauperis on Appeal (#7) is DENIED as moot.

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6 DATED this 1 day of September, 2011.  
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Lloyd D. George  
United States District Judge

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